

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: Bobby Knight, Jr.

Case No.: 16-32337

Judge: KCF

Debtor(s)

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☐ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 4-27-2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor has paid \$1,000.00 into the Plan and the Debtor shall pay \$200.00 Monthly to the Chapter 13 Trustee, starting on May 1, 2017 for approximately 54 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐

Sale of real property

Description:

Proposed date for completion:

☐

Refinance of real property

Description:

Proposed date for completion:

☒

Loan modification with respect to mortgage encumbering property M&T BANK

Description: 17 Gunnder Lane, Willingboro, NJ 08046

Proposed date for completion:

loss mitigation will be
completed by the date set
forth in the loss mitigation
order

d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification. Debtor is to make post adequate protection payments to creditor pursuant to the loss mitigation order.

e. ☒ Other information that may be important relating to the payment and length of plan: The Trustee is to reserve making payment on secured claim pending the loss mitigation.

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
ROBERT C. NISENSEN	ATTORNEYS FEES	2,500

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
HARLEY DAVIDSON CREDIT CORP.	MOTORCYCLE	257.86		257.86	257.86

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
-NONE-							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

LATASHA PHILLIPS (DSO)

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

____ Not less than \$____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
TREATMENT OF HARLEY-DAVIDSON CREDIT CORP. AND DSO	HARLEY DAVIDSON CREDIT CORP. TO PAY ARREARS THROUGH THE PLAN, LATASHA PHILLIPS, DSO UNAFFECTED

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date April 27, 2017 /s/ Robert C. Nisenson
Robert C. Nisenson 6680
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: April 27, 2017 /s/ Bobby Knight, Jr.
Bobby Knight, Jr.
Debtor

Date: _____
Joint Debtor

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: Bobby Knight, Jr.

Debtor(s)

Case No.: 16-32337

Judge: KCF

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 12-1-2016

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay \$200.00 Monthly to the Chapter 13 Trustee, starting on December 1, 2016 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐

Sale of real property

Description:

Proposed date for completion: _____

☐

Refinance of real property

Description:

Proposed date for completion: _____

☒

Loan modification with respect to mortgage encumbering property M&T BANK

Description: 17 Gunnder Lane, Willingboro, NJ 08046

Proposed date for completion: loss mitigation will be completed by the date set forth in the loss mitigation order

d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification. Debtor is to make post adequate protection payments to creditor pursuant to the loss mitigation order.

e. ☒ Other information that may be important relating to the payment and length of plan: The Trustee is to reserve making payment on secured claim pending the loss mitigation.

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
ROBERT C. NISENSEN	ATTORNEYS FEES	2,500

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
-NONE-							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

HARLEY DAVIDSON FINANCIAL

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

____ Not less than \$____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below **why** the Plan is being modified.

Explain below **how** the Plan is being modified

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☐ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date December 1, 2016

/s/ Robert C. Nisenson

Robert C. Nisenson 6680

Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: December 1, 2016

/s/ Bobby Knight, Jr.

Bobby Knight, Jr.

Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 11 of 12
 United States Bankruptcy Court
 District of New Jersey

In re:
 Bobby Knight, Jr.
 Debtor

Case No. 16-32337-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 24

Date Rcvd: May 04, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 06, 2017.

db +Bobby Knight, Jr., 17 Gunner LN, Willingboro, NJ 08046-3325
 aty +Schiller, Knapp, Lefkowitz & Hertz, 30 Montgomery Street, Suite 1205,
 Jersey City, NJ 07302-3835
 516513401 +AMCOL Systems, Inc., Amcol Systems, Inc., Po Box 21625, Columbia, SC 29221-1625
 516802248 +Domestic Support Obligation, Latasha Phillips, 376 South 20th Street,
 Newark, New Jersey 07103-1350
 516562714 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
 516513406 +M & T Bank, C/O Schiller, Knapp, Lefkowitz & Hertz, 30 Montgomery St. Ste 1205,
 Jersey City, NJ 07302-3835
 516513407 +Moorestown Dermatology Associates, 110 Marter Avenue Ste 102, Moorestown, NJ 08057-3124
 516513409 +The Children's Hospital of Philadelphia, PO Box 788017, Philadelphia, PA 19178-8017
 516788440 +The Cooper Health System \$801.00, C/O Qar, PO Box 239, Gibbsboro, NJ 08026-0239
 516626101 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Services, PO Box 19657,
 Irvine, CA 92623-9657
 516513410 +Wells Fargo Dealer Services, Po Box 3569, Rancho Cucamonga, CA 91729-3569

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov May 04 2017 22:47:28 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov May 04 2017 22:47:22 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

lm E-mail/Text: camanagement@mtb.com May 04 2017 22:47:10 M&T Bank, PO Box 1288,
 Buffalo, NY 14240-1288

516513400 +E-mail/Text: bkrpt@retrievalmasters.com May 04 2017 22:47:21
 AMCA/Amer Medical Collection Agency, 4 Westchester Plaza, Suite 110,
 Elmsford, NY 10523-1615

516529807 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM May 04 2017 22:45:39
 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
 Oklahoma City, OK 73124-8848

516513402 +E-mail/Text: banko@berkscredit.com May 04 2017 22:47:00 Berks Credit & Collections,
 Po Box 329, Temple, PA 19560-0329

516513403 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 04 2017 22:45:30
 Capital One Bank NA, C/O Portfolio Recovery Associates, LLC, PO Box 12914,
 Norfolk, VA 23541-0914

516513404 +E-mail/Text: bknotice@ercollections.com May 04 2017 22:47:34 ERC/Enhanced Recovery Corp,
 8014 Bayberry Rd, Jacksonville, FL 32256-7412

516513405 +E-mail/Text: bankruptcy.notices@hdfsi.com May 04 2017 22:48:14 Harley Davidson Financial,
 Attention: Bankruptcy, Po Box 22048, Carson City, NV 89721-2048

516545982 E-mail/Text: camanagement@mtb.com May 04 2017 22:47:10 M&T Bank,
 c/o Schiller Knapp Lefkowitz & Hertz L, Post Office Box 840, Buffalo, New York 14240

516718758 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 04 2017 22:45:30

Portfolio Recovery Associates, LLC, c/o The Home Depot, POB 41067, Norfolk VA 23541

516668552 +E-mail/PDF: gecsed@recoverycorp.com May 04 2017 22:39:56 Synchrony Bank,

c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

516513408 +E-mail/Text: Supportservices@receivablesperformance.com May 04 2017 22:48:22 T-Mobile,
 C/O Receivables Performance Mgmt, Attn: Bankruptcy, Po Box 1548, Lynnwood, WA 98046-1548

TOTAL: 13

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 06, 2017

Signature: /s/Joseph Speetjens

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 24

Date Rcvd: May 04, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 1, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Michael E. Blaine on behalf of Creditor M&T BANK mblaine@schillerknapp.com,
tshariff@ecf.courtdrive.com;tshariff@schillerknapp.com
Robert C. Nisenson on behalf of Debtor Bobby Knight, Jr. rnisenon@aol.com,
nisenonlaw@aol.com;G2729@notify.cincompass.com;nisenonlaw@gmail.com

TOTAL: 4